

CHAPTER 60
LICENSURE OF COSMETOLOGISTS, ELECTROLOGISTS, ESTHETICIANS,
MANICURISTS, NAIL TECHNOLOGISTS, AND INSTRUCTORS
OF COSMETOLOGY ARTS AND SCIENCES

[Prior to 7/29/87, Health Department[470] Ch 149]

645—60.1(157) Definitions. For purposes of these rules, the following definitions shall apply:

“*Board*” means the board of cosmetology arts and sciences examiners.

“*Certified laser product*” means a product which is certified by a manufacturer pursuant to the requirements of 21 Code of Federal Regulations (CFR) Part 1040.

“*Chemical exfoliation*” means the removal of surface epidermal cells of the skin by using only non-medical-strength cosmetic preparations consistent with labeled instructions and as specified by rule.

“*Core curriculum*” means the basic core life sciences curriculum that is required for completion of any course of study of the cosmetology arts and sciences except for manicuring.

“*Cosmetology arts and sciences*” means any or all of the following disciplines performed with or without compensation by a licensee: cosmetology, electrology, esthetics, nail technology and manicuring.

“*Depilatory*” means an agent used for the temporary removal of superfluous hair by dissolving it at the epidermal surface.

“*Exfoliation*” means the process whereby the superficial epidermal cells are removed from the skin.

“*Lapsed license*” means a license that a person has failed to renew as required, or the license of a person who has failed to meet stated obligations for renewal within 30 days of the renewal date.

“*Laser*” means light amplification by the stimulated emission of radiation.

“*Licensee*” means any person or entity licensed to practice pursuant to Iowa Code chapter 157 and 645—Chapters 60 to 65, Iowa Administrative Code.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice cosmetology to an applicant who has held a license in another state.

“*Mechanical exfoliation*” means the physical removal of surface epidermal cells by means that include but are not limited to brushing machines, granulated scrubs, peel-off masques, peeling creams or drying preparations that are rubbed off, and microdermabrasion.

“*Mentor*” means a licensee providing guidance in a mentoring program.

“*Mentoring*” means a program allowing students to experience cosmetology arts and sciences in a licensed salon under the guidance of a mentor.

“*Microdermabrasion*” means mechanical exfoliation using an abrasive material or apparatus to remove surface epidermal cells with a machine which is specified by rule.

“*Minor*” means an unmarried person who is under the age of 18 years.

“*Practice discipline*” means the practice of electrology, esthetics, nail technology, manicuring or cosmetology as recognized by the board of cosmetology arts and sciences examiners.

“*Reciprocal license*” means the issuance of an Iowa license to practice cosmetology to an applicant who is currently licensed in another state and which state has a mutual agreement to license persons who have the same or similar qualifications to those required in Iowa.

“*Testing service*” means a national testing service selected by the board.

“*Trainee*” means any person who completes the requirements listed in Iowa Code section 157.3 for licensure in the cosmetology arts and sciences, except for the examination, and who has a temporary permit.

645—60.2(157) Requirements for licensure.

60.2(1) *Requirements for a license.* An applicant for a license shall:

a. Complete a board-approved application form. Application forms may be obtained directly from the board-approved testing service. The name and address of the testing service may be obtained from the board's Web site at www.idph.state.ia.us/licensure or by contacting the board office in the Iowa department of public health, professional licensure division. All applications shall be sent to the testing service.

b. Complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the testing service. Applications shall be complete before the candidate is eligible to sit for the examination.

c. Provide the appropriate fees with application to the testing service.

d. Present proof of graduation from high school or its equivalent to the testing service. If educated outside the United States, the applicant must attach an original evaluation of the applicant's education for World Education Services (WES) or any other accredited evaluation service. An applicant may obtain an application for evaluation by contacting WES at (212)966-6311, or by writing to WES, P.O. Box 745, Old Chelsea Station, New York, New York 10113-0745. An applicant may also provide documentation by attaching a copy of acceptable GED points, a diploma or TABE scores.

e. Present a copy of the diploma or an official transcript of grades in the practice discipline for which the applicant is requesting licensure. This shall be sent to the testing service with the application, showing completion of training at a school approved by the board of cosmetology arts and sciences examiners.

f. Pass the theory examination for the particular practice discipline with a score of 75 percent or greater.

g. Pass the Iowa law (jurisprudence) examination with a score of 75 percent or greater.

60.2(2) *Requirements for an instructor's license.* An applicant for an instructor's license shall:

a. Submit completed application and fees to the testing service;

b. Be a graduate of an accredited high school or the equivalent thereof;

c. Be licensed in the state of Iowa in the specific practice discipline to be taught or be licensed as a cosmetologist who possesses the skill and knowledge required to instruct in that practice discipline;

d. Provide documentation of completion of 1,000 hours of instructor's training with curriculum content to be determined by the board or two years' active practice in the field of cosmetology within six years prior to application;

e. Submit proof of attendance at an advanced instructor's institute prescribed by the board;

f. Pass an instructor's and Iowa law (jurisprudence) examination; and

g. Submit proof of 60 hours of practical experience, excluding school hours, in the area of electrolysis prior to application for an instructor of electrolysis license.

60.2(3) *Conditions.* The following conditions apply for all cosmetology arts and sciences licenses.

a. Candidates eligible for testing may contact the board-approved testing service to arrange a testing time.

b. No application shall be considered until the requested supporting documents and fee have been received by the testing service.

c. Incomplete applications that have been on file in the board office for more than two years shall be considered invalid and shall be destroyed.

d. The licensure fee is nonrefundable.

e. Licensees who were issued their initial licenses within six months prior to the license renewal beginning date shall not be required to renew their licenses until the renewal month two years later.

645—60.3(157) Criteria for licensure in specific practice disciplines.

60.3(1) A cosmetology license is not a requirement for an electrology, esthetics, nail technology or manicurist license.

60.3(2) Core life sciences curriculum hours shall be transferable in their entirety from one practice discipline to another practice discipline.

60.3(3) Theory hours earned in each practice discipline of cosmetology arts and sciences may be used in applying for a cosmetology license.

645—60.4(157) Practice-specific training requirements.

60.4(1) A licensed esthetician who holds a permanent license in good standing may administer microdermabrasion or a certified laser product after the esthetician has submitted to the board office an attestation as described in 60.4(4) on a form approved by the board and the appropriate fees as specified in 645—Chapter 62 and has received board approval.

60.4(2) A licensed cosmetologist who holds a permanent license in good standing may administer chemical peels or utilize microdermabrasion or a certified laser product after the cosmetologist has submitted to the board office an attestation as described in 60.4(4) on a form approved by the board and the appropriate fees as specified in 645—Chapter 62 and has received board approval. A cosmetologist who receives an initial license in Iowa after July 1, 2005, shall not provide chemical peels, practice microdermabrasion procedures or use certified laser products.

60.4(3) A licensed electrologist who holds a permanent license in good standing may utilize a certified laser product for the purpose of hair removal after the electrologist has submitted to the board office an attestation as described in 60.4(4) on a form approved by the board and the appropriate fees as specified in 645—Chapter 62 and has received board approval.

60.4(4) The attestation required in subrules 60.4(1), 60.4(2) and 60.4(3) shall include evidence of training and certification specific to each procedure or device to be used. A licensee who includes utilization of a certified laser product in the attestation shall provide evidence that the licensee's laser product training received included a safety training component which provided a thorough understanding of the procedures being performed. The training program shall address fundamentals of non-beam hazards, management and employee responsibilities relating to control measures, and regulatory requirements.

60.4(5) The board shall approve a licensee to provide services or utilize a certified laser product as specified in the attestation and application required by this rule upon board determination that a licensee has submitted a completed application as required by subrule 60.4(1), 60.4(2) or 60.4(3), provided appropriate evidence supporting the licensee's training and certification in the attestation, and submitted applicable fees. The applicant shall receive a certification card following board approval. The certification card and the license to practice cosmetology arts and sciences shall be displayed together in a conspicuous public place at the licensee's primary site of practice.

60.4(6) A licensee who has an attestation on file with the board and who continues to utilize the procedure or device specified in the attestation shall meet the requirements of 645—Chapter 64 at the time of license renewal. A minimum of one hour of continuing education in the area of each procedure or device for which the licensee has received board certification shall be required beginning with the renewal cycle of April 1, 2006, to March 31, 2008. Continuing education credit in the area of the procedure or device is in addition to the eight hours of continuing education required for renewal of the license.

60.4(7) A licensed cosmetologist, esthetician, or electrologist who provides services related to the use of a certified laser product, chemical peel, or microdermabrasion shall submit a report to the board within 30 days of any incident in which provision of such services resulted in physical injury requiring medical attention. Failure to comply with this requirement shall result in disciplinary action by the board.

The report shall include the following:

- a. Description of procedures;
- b. Description of the physical condition of client;
- c. Description of the adverse occurrence, including:
 - (1) Symptoms of any complications including, but not limited to, onset and type of symptoms;
 - (2) Description of the services provided that caused the situation;
 - (3) Description of the procedure that was followed by the licensee;
- d. Description of the client's condition on termination of any procedures undertaken;
- e. If a client is referred to a physician, a statement providing where and to whom if known;
- f. Copy of consent form.

60.4(8) Failure to report. Failure to comply with subrule 60.4(7) when the adverse occurrence is related to the use of any procedure or device noted in the attestation may result in the licensee's loss of authorization to administer the procedure or device noted in the attestation or may result in other sanctions provided by law.

60.4(9) Failure to comply with this rule is grounds for discipline.

645—60.5(157) Licensure restrictions relating to practice.

60.5(1) A certified laser product shall only be used on surface epidermal layers of the skin except for hair removal.

60.5(2) A laser hair removal product shall not be used on a minor unless the minor is accompanied by a parent or guardian and then shall be used only under general supervision of a physician.

60.5(3) Persons licensed under Iowa Code chapter 157 shall not administer any practice of removing skin by means of a razor-edged instrument.

60.5(4) With the exception of hair removal, manicuring, and nail technology services, persons licensed under Iowa Code chapter 157 shall not administer any procedure in which human tissue is cut, shaped, vaporized, or otherwise structurally altered. Manicurists and nail technologists may only cut the cuticle.

645—60.6(157) Consent and reporting requirements. A licensed esthetician, cosmetologist, or electrologist prior to providing services relating to a certified laser product, chemical peel, or microdermabrasion shall obtain from a client a consent form that:

1. Specifies in general terms the nature and purpose of the procedure(s);
2. Lists known risks associated with the procedure(s) if reasonably determinable;
3. States an acknowledgment that disclosure of information has been made and that questions asked about the procedure(s) have been satisfactorily answered;
4. Includes a signature of either the client for whom the procedure is performed or, if that client for any reason lacks legal capacity to consent, includes the signature of a person who has legal authority to consent on behalf of that client in those circumstances.

645—60.7(157) Licensure by endorsement. The board may receive by endorsement any applicant from the District of Columbia or another state, territory, province or foreign country who:

1. Submits to the testing service a completed application and appropriate fee;
2. Obtains verification from the District of Columbia or any state(s), territory(ies), foreign country(ies) or province(s) where the applicant is licensed. Verifications of current licensure in the practice discipline in another state for at least 12 months in the 24-month period preceding the submission of the application must be sent from each state, territory, province or foreign country or the District of Columbia. The verifications shall be sent directly to the board-approved testing service. The testing service will not accept verifications received from the applicant;
3. Submits a copy of the passing score on the examinations of the board-approved testing service; and
4. Passes the Iowa law (jurisprudence) examination with a passing score of 75 percent or greater.

645—60.8(157) Licensure by reciprocal agreement. The board may enter into a reciprocal agreement with the District of Columbia or any state, territory, province or foreign country with equal or similar requirements for licensure of cosmetology arts and sciences applicants.

645—60.9(157) Temporary permits to practice cosmetology arts and sciences. An applicant who is applying for initial licensure and is not licensed in another state and who has met the requirements for licensure except for the written examinations may apply for a temporary permit to practice cosmetology arts and sciences. The temporary permit shall be valid from the date the application is completed until the applicant passes the examination in the practice discipline for which the applicant is seeking licensure. The temporary permit shall be valid for a maximum of 90 days from the date of issuance. The temporary permit holder shall practice under direct supervision of a licensee. After 90 days the temporary permit shall be invalid and the person may not practice in the cosmetology arts and sciences.

The temporary permit shall be revoked if an applicant fails either the theory examination or the Iowa law (jurisprudence) examination twice. The applicant shall submit the temporary permit to the testing service before sitting for another examination.

645—60.10(157) Demonstrator's permit. The board may issue a demonstrator's permit for the purpose of demonstrating cosmetology arts and sciences to the consuming public.

1. A demonstrator's permit shall be valid for a salon, person or an event. The location, purpose and duration shall be stated on the permit.
2. A demonstrator's permit shall be valid for no more than ten days.
3. A completed application shall be submitted on a form provided by the board at least 30 days in advance of the intended use dates.
4. An application fee shall be submitted as set forth in these rules.
5. No more than four permits shall be issued to any applicant during a calendar year.

645—60.11(157) License renewal.

60.11(1) The biennial license renewal period for a license to practice cosmetology arts and sciences shall begin on April 1 of one year and end on March 31 two years later. All licensees shall renew on a biennial basis.

60.11(2) A renewal of license to practice as a cosmetology arts and sciences licensee application and continuing education report form shall be mailed to the licensee at least 60 days prior to the expiration of the license. Failure to receive the renewal application shall not relieve the license holder of the obligation to pay the biennial renewal fees on or before the renewal date.

a. The licensee shall submit the completed application and continuing education report form with the renewal fee to the board office before the license expiration date.

b. Individuals who were issued their initial licenses within six months of the license renewal beginning date will not be required to renew their licenses until the next renewal two years later.

c. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used. The new licensee will be required to complete a minimum of eight hours of continuing education per biennium for each subsequent license renewal period.

d. Persons licensed to practice as cosmetology arts and sciences licensees shall keep their renewal licenses and certifications displayed in a conspicuous public place at the primary site of practice. The licensee's current wallet card shall be in the licensee's immediate possession.

e. Licensees currently licensed in Iowa but practicing exclusively in another state may comply with Iowa continuing education requirements for license renewal by meeting the continuing education requirements of the state or states where the licensee practices. Those licensees living and practicing exclusively in a state which has no continuing education requirement for renewal of a license shall not be required to meet Iowa's continuing education requirement but shall pay all renewal fees when due.

60.11(3) Late renewal. If the renewal fees, continuing education report and renewal application are received within 30 days after the license renewal expiration date, the late fee for failure to renew before expiration shall be charged.

60.11(4) When all requirements for license renewal are met, the licensee shall be sent a license renewal card by regular mail.

645—60.12(147) Reissued certificate or wallet card. The board shall reissue a certificate or current wallet card upon receipt of a written request from the licensee, return of the original document and payment of the fee as specified in rule 645—62.1(147,157).

645—60.13(272C) Exemptions for inactive practitioners.

60.13(1) Application for exemption. A licensee who is not engaged in practice in the state of Iowa may be granted a waiver of compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in practice in the state of Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted on the form provided by the board. A licensee must hold a current license in order to apply for exempt status. A licensee shall apply for inactive status prior to the license expiration date.

60.13(2) Reinstatement of exempted, inactive practitioners. Inactive practitioners who have requested and been granted a waiver of compliance with the renewal requirements and who have obtained a certificate of exemption shall, prior to engaging in the practice of the profession in Iowa, satisfy the requirements for reinstatement as outlined in 645—64.10(157,272C).

60.13(3) A new licensee who is on inactive status during the initial license renewal time period and reinstates before the first license expiration date shall not be required to complete continuing education for that first license renewal time period only. Eight hours of continuing education shall be required for every renewal thereafter.

60.13(4) Licensees shall renew at the next scheduled renewal. Licensees who were issued their reinstatement within six months prior to the renewal shall not be required to renew their licenses until the renewal two years later.

60.13(5) Reinstatement of inactive license after exemption. The following chart illustrates the requirements for reinstatement based on the length of time a license has been considered inactive.

An applicant shall satisfy the following requirements:	30 days after expiration date up to first renewal	2 renewals	3 renewals	4 or more renewals
Submit written application for reinstatement	Required	Required	Required	Required
Pay the reinstatement fee	\$50	\$50	\$50	\$50
Pay the current renewal fee	\$50	\$50	\$50	\$50
Furnish evidence of completion of approved continuing education hours OR Furnish evidence of verification of current active license in another state and a notarized statement of active practice of at least 12 months during the 24 months preceding the application for reinstatement	8 hours May be completed	16 hours May be completed	24 hours May be completed	32 hours May be completed
Complete Iowa law (jurisprudence) examination	NA	NA	NA	Required
Submit license verification(s) from all states in which the licensee has practiced since obtaining inactive status	Required	Required	Required	Required
Total fees, continuing education hours, and examination required for reinstatement:	\$100 and 8 hours	\$100 and 16 hours	\$100 and 24 hours	\$100, 32 hours and Iowa law examination

Licensees who are instructors of cosmetology arts and sciences shall obtain an additional eight hours of continuing education in teaching methodology.

645—60.14(272C) Lapsed licenses.

60.14(1) If the renewal fees and continuing education report are received more than 30 days after the license renewal expiration date, the license shall be considered lapsed. An application for reinstatement must be filed with the board and be accompanied by the reinstatement fee, the renewal fee for each biennium the license is lapsed, the late fee for failure to renew before expiration and the continuing education report form. The licensee may be subject to an audit of the licensee's continuing education report.

60.14(2) Licensees who have not fulfilled the requirements for license renewal or for an exemption in the required time frame will have a lapsed license and shall not engage in the practice of cosmetology arts and sciences. Practicing without a license may be cause for disciplinary action.

60.14(3) In order to reinstate lapsed licenses, licensees shall comply with all requirements for reinstatement as outlined in 645—64.6(157).

60.14(4) After reinstatement of the lapsed license, the licensee shall renew at the next scheduled renewal cycle and complete the continuing education required for the biennium.

60.14(5) Verification(s) of license is required from all states in which the licensee has practiced since the Iowa license lapsed.

60.14(6) Reinstatement of a lapsed license. The following chart illustrates the requirements for reinstatement based on the length of time a license has been considered lapsed.

An applicant shall satisfy the following requirements:	30 days after expiration date up to first renewal	2 renewals	3 renewals	4 or more renewals
Submit written application for reinstatement	Required	Required	Required	Required
Pay the past due renewal fee(s)	\$50	\$100	\$100	\$100
Pay the reinstatement fee	\$50	\$50	\$50	\$50
Pay the late fee	\$50	\$50	\$50	\$50
Furnish evidence of completion of approved continuing education hours OR Furnish evidence of verification of current active license in another state and a notarized statement of active practice of at least 12 months during the 24 months preceding the application for reinstatement	8 hours May be completed	16 hours May be completed	24 hours May be completed	32 hours May be completed
Complete Iowa law (jurisprudence) examination	NA	NA	NA	Required
Submit license verification(s) from all states in which the licensee has practiced since the license lapsed	Required	Required	Required	Required
Total fees, continuing education hours, and examination required for reinstatement:	\$150 and 8 hours	\$200 and 16 hours	\$200 and 24 hours	\$200, 32 hours and Iowa law examination

Licensees who are instructors of cosmetology arts and sciences shall obtain an additional eight hours of continuing education in teaching methodology.

645—60.15(147) Duplicate certificate or wallet card.

60.15(1) A duplicate wallet card or duplicate certificate shall be required if the current wallet card or certificate is lost, stolen or destroyed. A duplicate wallet card or duplicate certificate shall only be issued under such circumstances.

60.15(2) A duplicate wallet card or certificate shall be issued upon receipt of a completed application and receipt of the fee as specified in 645—subrule 62.1(5).

60.15(3) If the board receives a completed application stating that the licensee has not received the wallet card or certificate within 60 days after being mailed by the board, no fee shall be required for issuing the duplicate wallet card or duplicate certificate.

645—60.16(272C) License denial.

60.16(1) An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a notice of appeal and request for hearing upon the board not more than 30 days following the date of mailing of the notification of licensure denial to the applicant. The request for hearing as outlined in these rules shall specifically describe the facts to be contested and determined at the hearing.

60.16(2) If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to this rule, the hearing and subsequent procedures shall be held pursuant to the process outlined in Iowa Code chapter 272C.

These rules are intended to implement Iowa Code chapters 272C and 157.

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